

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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ROBERT R. DILLON  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

KAY SWEENEY,

Plaintiff,

**vs.**

RIVER WAFFLES, LLC,

Defendant.

Civ. No. 04-2561-P

AMENDED SCHEDULING ORDER

The Court held a telephonic conference on April 15, 2005. Present were J. Page Garrett, counsel for plaintiff, and Joe Manuel, counsel for defendant. The scheduling conference is amended as follows:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1):  
Completed

**JOINING PARTIES:** March 31, 2005

**AMENDING PLEADINGS:** March 31, 2005

INITIAL MOTIONS TO DISMISS: Completed

COMPLETING ALL DISCOVERY: June 1, 2005

(a) DOCUMENT PRODUCTION: June 1, 2005

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR  
ADMISSIONS: June 1, 2005

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT  
INFORMATION: May 27, 2005

(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT  
INFORMATION: June 27, 2005

(3) EXPERT WITNESS DEPOSITIONS: July 29, 2005

FILING DISPOSITIVE MOTIONS: August 31, 2005

**OTHER RELEVANT MATTERS:**

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for a non-jury trial and is expected to last approximately two (2) days. The pretrial order is due on October 28, 2005 by 5:00 p.m. The pretrial conference is set for November 4, 2005 at 10:00 a.m., and the trial is set for November 15-16, 2005 at 9:30 a.m.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation on or before July 1, 2005.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have consented to all matters being conducted by this magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.



TU M. PHAM

United States Magistrate Judge

4/15/05

Date



## Notice of Distribution

This notice confirms a copy of the document docketed as number 29 in case 2:04-CV-02561 was distributed by fax, mail, or direct printing on April 18, 2005 to the parties listed.

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Honorable Tu Pham  
US DISTRICT COURT